

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**KATRINA BALDWIN,**

**Plaintiff,**

**v.**

**KENCO LOGISTICS SERVICES, L.L.C.,**

**Defendant.**

§  
§  
§  
§  
§  
§  
§  
§  
§

**CIVIL ACTION NO. \_\_\_\_\_**

**INDEX OF STATE COURT DOCUMENTS FOR REMOVAL**

The following documents are attached:

<u>Exhibit A-1</u>	Docket Sheet	
<u>Exhibit A-2</u>	Plaintiff's Original Petition	09/16/2021
<u>Exhibit A-3</u>	Citation to Kenco Logistics Services, L.L.C.	09/17/2021
<u>Exhibit A-4</u>	Return of Citation (served 09/28/2021)	09/30/2021

<b>EXHIBIT A</b>
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Respectfully submitted,  
By: /s/ Danielle Alexis Matthews  
Danielle Alexis Matthews  
Texas Bar No. 24027915  
[danielle.alexis.matthews@jacksonlewis.com](mailto:danielle.alexis.matthews@jacksonlewis.com)  
Raha Assadi  
Texas Bar No. 24105444  
[raha.assadi@jacksonlewis.com](mailto:raha.assadi@jacksonlewis.com)  
JACKSON LEWIS P.C.  
500 N. Akard Street, Suite 2500  
Dallas, Texas 75201  
Phone: (214) 520-2400  
Fax: (214) 520-2008

ATTORNEYS FOR DEFENDANT KENCO  
LOGISTICS SERVICES, L.L.C.

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing document has been served by filing with the ECF filing system on October 25, 2021, which will cause service to be made upon the following:

Dan S. Boyd  
BOYD & STAPLETON  
PO Box 803596  
Dallas, TX 75380-3596  
[dan@boydstap.com](mailto:dan@boydstap.com)

ATTORNEY FOR PLAINTIFF  
KATRINA BALDWIN

By: /s/ Danielle Alexis Matthews  
Danielle Alexis Matthews

## Case Information

DC-21-13826 | KATRINA BALDWIN vs. KENCO LOGISTICS SERVICES, L.L.C.

Case Number  
DC-21-13826  
File Date  
09/16/2021

Court  
68th District Court  
Case Type  
EMPLOYMENT

Judicial Officer  
HOFFMAN, MARTIN  
Case Status  
OPEN

## Party

PLAINTIFF  
BALDWIN, KATRINA

Active Attorneys ▼  
Lead Attorney  
BOYD, DAN S  
Retained

DEFENDANT  
KENCO LOGISTICS SERVICES, L.L.C.

Address  
BY SERVING REGISTERED AGENT, CT CORPORATION SYSTEMS  
1999 BRYAN STREET, SUITE 900  
DALLAS TX 75201

## Events and Hearings

<b>EXHIBIT</b> <b>A-1</b>
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09/16/2021 ORIGINAL PETITION ▼

ORIGINAL PETITION

09/16/2021 ISSUE CITATION ▼

ISSUE CITATION - KENCO LOGISTICS SERVICES, L.L.C.

09/17/2021 CITATION ▼

Served

09/28/2021

Anticipated Server

ATTORNEY

Anticipated Method

Actual Server

CONSTABLE 1

Returned

09/30/2021

Comment

KENCO LOGISTICS SERVICES, L.L.C.

09/30/2021 RETURN OF SERVICE ▼

EXECUTED CITATION: KENCO LOGISTICS SERVICES, L.L.C.

Comment

EXECUTED CITATION: KENCO LOGISTICS SERVICES, L.L.C.

## Financial

BALDWIN, KATRINA

Total Financial Assessment

\$300.00

Total Payments and Credits

\$300.00

9/16/2021 Transaction Assessment

\$292.00

9/16/2021 CREDIT CARD - TEXFILE  
(DC)

Receipt # 62276-2021-  
DCLK

BALDWIN,  
KATRINA

(\$292.00)

9/16/2021 PAYMENT (CASE FEES) Receipt # 62350-2021- BOYD, DAN S (\$8.00)  
DCLK

## Documents

ORIGINAL PETITION

ISSUE CITATION - KENCO LOGISTICS SERVICES, L.L.C.

EXECUTED CITATION: KENCO LOGISTICS SERVICES, L.L.C.

NO. **DC-21-13826**

KATRINA BALDWIN,	§	IN THE DISTRICT COURT OF
	§	
Plaintiff	§	
	§	
v.	§	DALLAS COUNTY, TEXAS
	§	
KENCO LOGISTICS SERVICES, L.L.C.,	§	68th
	§	
Defendant	§	____ JUDICIAL DISTRICT

PLAINTIFF'S ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

1. Katrina Baldwin (hereinafter "Plaintiff") files this case against Kenco Logistics Services, L.L.C. (hereinafter "Kenco").

I. DISCOVERY LEVEL

2. Discovery in this case should be conducted under Level Three.

II. RULE 47 DISCLOSURE

3. Plaintiff seeks damages in excess of \$1,000,000.

III. JURISDICTION AND VENUE

4. This Court has subject matter jurisdiction because Plaintiff seeks damages in excess of the jurisdictional minimum of this Court. This Court has *in personum* jurisdiction because Kenco does business in Texas.
5. Venue is proper in Dallas County pursuant to Tex. R. Civ. P. & Rem. Code § 15.002 (a) (i) because Dallas County is the county in which all or a substantial part of the events giving rise to the claim occurred.

**EXHIBIT**  
**A-2**

IV. PARTIES AND SERVICE

6. Plaintiff is an individual residing at 5657 Amesbury Dr., Apt. 1816, Dallas, Texas 75206.
7. Kenco is a limited liability company based in Chattanooga, Tennessee and may be served by delivering a copy hereof, together with citation, to Kenco's registered agent for service of process, C. T. Corporation Systems, 1999 Bryan Street, Suite 900, Dallas, Texas 75201.

V. FACTS

8. Plaintiff was wrongfully terminated from Kenco on October 23, 2020. The wrongful termination was in retaliation for Plaintiff's having criticized Katie Yelling and Tyler Wood who worked for Kenco's human relations department.
9. Plaintiff was an HR generalist. She had worked at Kenco for three years with good reviews. She had been educated at Strayer College.
10. Kenco is liable for the misconduct of Katie Yelling and Tyler Wood under the doctrine of *respondeat superior*. Plaintiff received her right to sue letter in a timely manner; therefore, she has exhausted her administrative remedies.

VI. CAUSES OF ACTION

11. Plaintiff has a cause of action for retaliation. The misconduct of Kenco gives rise to liability by way of violating §§ 21.051 and 21.005 of the Texas Labor Code, giving rise to the liability for attorneys' fees authorized by §21.2515 of the Texas Labor Code. Thus, Plaintiff is a member of a protected class: (1) a victim of retaliation.

VII. COMPENSATORY DAMAGES

12. Plaintiff has compensatory damages of two types: (1) back pay; and (2) emotional distress, mental anguish and reduced ability to enjoy life. The back pay is \$55,000; the second category of damages is inherently unliquidated. However, because the misconduct of Kenco has caused major depression for Plaintiff, it is expected that the trier of fact will award something in excess of \$1,000,000. Plaintiff requests judgment for same.

VIII. EXEMPLARY DAMAGES

13. Because the conduct of Kenco and its agents was malicious and intentional, Plaintiff will be entitled to an award of exemplary damages in the maximum amount allowed under Tex. Civ. P. & Rem Code §41.008. Plaintiff requests judgment for same.

IX. ATTORNEYS' FEES

14. Based on §21.2555 of the Texas Labor Code, Plaintiff expects the attorneys' fees to be valued at \$50,000 through trial; an additional \$80,000 in the event of an appeal to the court of appeals; and, an additional \$50,000 in the event review is sought in the Supreme Court of Texas. Plaintiff requests judgment for same.

X. PRAYER

15. Plaintiff prays (1) that Kenco be served or otherwise suffer default; (2) that Plaintiff be awarded the compensatory damages requested hereinabove; (3) that Plaintiff be awarded the exemplary damages requested hereinabove in order to deter Kenco and other persons or entities of similar ilk from committing such outrageous conduct in the future; (4) that Plaintiff be awarded the attorneys' fees requested hereinabove;

and (5) that Plaintiff be awarded all other damages, whether general or special, at law or in equity to which she may show herself to be justly entitled.

REQUEST FOR DISCLOSURE

Plaintiff requests that Kenco disclose all of the information required by Tex. R. Civ. P. 194 within 50 days of the service hereof.

Respectfully submitted,

By/s/Dan S. Boyd  
Dan S. Boyd  
State Bar No. 02765500  
BOYD & STAPLETON  
P.O. Box 803596  
Dallas, Texas 75380  
[dan@boydstap.com](mailto:dan@boydstap.com)  
Tel. (214)478-0152  
Fax: (214)481-1878  
Web [www.boydstap.com](http://www.boydstap.com)

**FORM NO. 353-3 - CITATION  
THE STATE OF TEXAS**

**To: KENCO LOGISTICS SERVICES, L.L.C.  
BY SERVING REGISTERED AGENT CT CORPORATION SYSTEMS  
1999 BRYAN STREET SUITE 900  
DALLAS TX 75201**

**GREETINGS:**

You have been sued. You may employ an attorney. If you or your attorney do not file a written Answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and **petition**, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org. Your answer should be addressed to the clerk of the **68th District Court** at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **KATRINA BALDWIN**

Filed in said Court **16th day of September, 2021** against

**KENCO LOGISTICS SERVICES, L.L.C.**

For Suit, said suit being numbered **DC-21-13826**, the nature of which demand is as follows:  
Suit on **EMPLOYMENT** etc. as shown on said petition **REQUEST FOR DISCLOSURE**, a copy of which accompanies this citation. If this citation is not served, it shall be returned unexecuted.

WITNESS: FELICIA PITRE, Clerk of the District Courts of Dallas, County Texas.  
Given under my hand and the Seal of said Court at office this 17th day of September, 2021.

ATTEST: FELICIA PITRE, Clerk of the District Courts of Dallas, County Texas

By *Carlenia Bouligny*  
CARLENIA BOULIGNY Deputy



ATTY

CITATION

DC-21-13826

KATRINA BALDWIN  
Vs.  
KENCO LOGISTICS SERVICES, L.L.C.

ISSUED THIS  
**17th day of September, 2021**

FELICIA PITRE  
Clerk District Courts,  
Dallas County, Texas

By: CARLENIA BOULIGNY, Deputy

Attorney for Plaintiff  
**DAN S BOYD**  
BOYD & STAPLETON  
PO BOX 803596  
DALLAS TX 75380  
214-478-0152  
dan@boydstap.com

DALLAS COUNTY CONSTABLE  
FEES PAID FEES NOT PAID

**EXHIBIT  
A-3**

## OFFICER'S RETURN

Case No. : DC-21-13826

Court No.68th District Court

Style: KATRINA BALDWIN

Vs.

KENCO LOGISTICS SERVICES, L.L.C.

Came to hand on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ .M. Executed at  
\_\_\_\_\_, within the County of \_\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_ .M. on the  
\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, by delivering to the within named  
\_\_\_\_\_  
\_\_\_\_\_

Each in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery.

The distance actually traveled by me in serving such process was \_\_\_\_\_ miles and my fees are as follows: To certify which witness my hand.

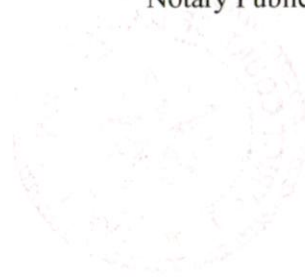
For serving Citation	\$ _____	_____
For mileage	\$ _____	of _____ County, _____
For Notary	\$ _____	by _____ Deputy

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said \_\_\_\_\_ before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_,

To certify which witness my hand and seal of office.

\_\_\_\_\_  
Notary Public \_\_\_\_\_ County \_\_\_\_\_



C

Receipt# 1058303  
Check# 2105

FORM NO. 353-3 - CITATION  
THE STATE OF TEXAS  
KDO  
038216

To: KENCO LOGISTICS SERVICES, L.L.C.  
BY SERVING REGISTERED AGENT CT CORPORATION SYSTEMS  
1999 BRYAN STREET SUITE 900  
DALLAS TX 75201

GREETINGS:

You have been sued. You may employ an attorney. If you or your attorney do not file a written Answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org. Your answer should be addressed to the clerk of the 68th District Court at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being KATRINA BALDWIN

Filed in said Court 16th day of September, 2021 against KENCO LOGISTICS SERVICES, L.L.C.

For Suit, said suit being numbered DC-21-13826, the nature of which demand is as follows:  
Suit on EMPLOYMENT etc. as shown on said petition REQUEST FOR DISCLOSURE, a copy of which accompanies this citation. If this citation is not served, it shall be returned unexecuted.

WITNESS: FELICIA PITRE, Clerk of the District Courts of Dallas, County Texas.  
Given under my hand and the Seal of said Court at office this 17th day of September, 2021.

ATTEST: FELICIA PITRE, Clerk of the District Courts of Dallas, County Texas.  
By *Carlenia Bouligny*  
CARLENIA BOULIGNY  
2021 SEP 27 PM 3:30  
RECEIVED  
CONSTABLES OFFICE PCT 1  
8301 S. POLK ST  
DALLAS, TEXAS 75201

EXHIBIT  
A-4

ATTY  
CITATION  
DC-21-13826  
KATRINA BALDWIN  
Vs.  
KENCO LOGISTICS SERVICES, L.L.C.  
ISSUED THIS  
17th day of September, 2021  
FELICIA PITRE  
Clerk District Courts,  
Dallas County, Texas  
By: CARLENIA BOULIGNY, Deputy  
Attorney for Plaintiff  
DAN S BOYD  
BOYD & STAPLETON  
PO BOX 803596  
DALLAS TX 75380  
214-478-0152  
dan@boydstap.com  
DALLAS COUNTY CONSTABLE  
FEES PAID  
FEES NOT PAID

OFFICER'S RETURN

FILED

Case No. : DC-21-13826  
Court No.68th District Court  
Style: KATRINA BALDWIN  
Vs.  
KENCO LOGISTICS SERVICES, L.L.C.

2021 SEP 30 PM 4:09

FELICIA PITRE  
DISTRICT CLERK  
DALLAS CO., TEXAS  
*Delgado* DEPUTY

Came to hand on the SEP 27 2021 day of SEP 27 2021, at            o'clock            M. Executed at            o'clock            M. on the            day of           , within the County of            at            o'clock            M. on the            day of           , 20          , by delivering to the within named           

Each in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by me in serving such process was            miles and my fees are as follows: To certify which witness my hand.

For serving Citation \$            **TRACEY GULLEY, CONSTABLE**  
For mileage \$            of **DALLAS COUNTY REGIMENT 1**  
For Notary \$            by            Deputy

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said            before me this            day of           , 20          .  
To certify which witness my hand and seal of office.

Notary Public            County

**CONSTABLE'S RETURN****Style of Case:** KATRINA BALDWIN VS. KENCO LOGISTIC SERVICES, L.L.C.

**Came into hand, this** 27 **day of** SEPTEMBER, **20** 21, **at** 3:10  
**o'clock** P **M.** **by executing and delivering a** CITATION **issued out of the**  
**state of** TEXAS **under cause number:** DC-21-13826, **on the** 28 **day**  
**of** SEPTEMBER **20** 21, **at** 1:20 **o'clock** P **M., to:**

☐ \_\_\_\_\_ **personally delivered/served true and correct copies of same.**

**OTHER NOTES:** \_\_\_\_\_

☐ \_\_\_\_\_ **pursuant to Rule 106/Rule 536, to an occupant:**  
 \_\_\_\_\_ **over the age of 16 years.**

☐ \_\_\_\_\_ **pursuant to Rule 106/Rule 536, by securely attaching**  
**and/or affixing to the** \_\_\_\_\_ **of the defendant's last known place of**

☐ **business** ☐ **abode.**

KENCO LOGISTIC SERVICES, L.L.C.

☒ **A Corporation** ☐ **A Business**

**Name:** CT CORPORATION SYSTEM

☐ **President** ☐ **Vice-President** ☒ **Registered Agent**

☒ **By delivering to the defendant's registered agent for service, CT CORPORATION SYSTEMS,**  
**through their authorized agent to accept service.** KIRK ATKINS SOP  
**at 1999 BRYAN STREET SUITE 900 DALLAS, TEXAS 75201.**

**Service Address:** 1999 BRYAN STREET SUITE 900 DALLAS, TEXAS 75201

☐ **RETURNED TO COURT AND/OR PLAINTIFF FOR THE FOLLOWING REASONS:**

**Service Fees: \$** 80.00

**COUNTY OF DALLAS** §  
 §  
**STATE OF TEXAS** §

D. Escamilla #119  
**D. Escamilla #119, DEPUTY CONSTABLE**  
**TRACEY L. GULLEY, CONSTABLE**  
**DALLAS COUNTY PRECINCT 1**

**SIGNED AND SWORN BY SAID** \_\_\_\_\_, **before me, this** \_\_\_\_\_  
**day of** \_\_\_\_\_ **20** \_\_\_\_\_, **to certify which, witness my hand and seal of office.**

**NOTARY PUBLIC-IN AND FOR THE STATE OF TEXAS**